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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/221,542	12/28/1998	JACQUES JOSEPH LABRIE	ST9-98-004	4441
687	7590	05/26/2005	EXAMINER	
ALBERT P. SHARPE, III FAY, SHARPE, BEALL, FAGAN, MINNICH & MCKEE 1100 SUPERIOR AVENUE, SUITE 700 CLEVELAND, OH 44114			CHEN, TE Y	
			ART UNIT	PAPER NUMBER
			2161	

DATE MAILED: 05/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/221,542

Applicant(s)

LABRIE, JACQUES JOSEPH

Examiner

Susan Y. Chen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 02 March 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

***Response to Amendment***

This office action is in response to amendment filed on 03/02/2005.

Claims 1-28 are pending for examination, claims 1, 6-9, 12-15, 18-20, 22 and 27-28 have been amended.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-28 are rejected under 35 U.S.C. 102(b) as being anticipated by Alston, Jr. et al. (U. S. Patent No. 5,315,709).

As to claims 1, 7, 13, 19 and 27-28, Alston et al. (hereinafter referred as Alston) disclose a computer system [e.g., the unit 10, Fig. 1A-ID and associated texts] with means, methods and computer program product to perform the functions as claimed by applicant, comprising:

a) a computer [the unit 10, Fig. 1A-1D] having a memory [e.g., the unit 24, Fig. 1A], and a data storage device [e.g., the unit 46, Fig. 1B] coupled thereto that stores data in an information catalog [e.g., the unit 48, Fig. 1B];

b) one or more computer programs, performed by the computer, for, in response to receiving user input, selecting a target object in an information catalog and providing information about a source data from which the target object was derived via a transformation performed on contents of the source data [e.g., the Bachman Analyst TM, the DB2 TM, col. 1, line 60 – col. 2, line 8, col. 7, lines 21 – col. 8, line 46; Fig(s). 1B, 5A-8 and associated texts];

c) a plurality of objects including a target object [e.g., the unit 42, Fig. 2] wherein the target object was derived from one or more transformations of one or more sources data [e.g., 32, Fig. 2; col. 13, Forward/Reverse Transformation section];

d) a transformation lineage system which stores transformation lineage information for the target object, the transformation lineage information associating the target object with the one or more transformations and identifying the one or more data sources [e.g., the Transformation system 10, Fig(s). 1A-2 and associated texts; col. 17, lines 45 – col. 18, line 20];

e) a user interface [e.g., the Bachman 3.10 interface of Fig(s). 5A – 8], for receiving user input for selecting one of the plurality of objects; wherein, the user interface configure to display the transformation lineage information in response to receiving user selected input [e.g., Fig(s). 5A-8 and associated texts].

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As to claims 2, 8, 14 and 20-21, Alston further disclosed the target object [e.g., the node 42, Fig. 2] and the information are represented as a node in a tree structure [e.g., the data structure containing a set of nodes that are linked in a hierarchical fashion as shown in Fig. 2, col. 9, lines 45 - col. 10, line 18].

As to claims 3, 9, 15, 22 and 24, Alston further disclosed the system having one or more computer programs including means and logic for providing the transformation information of source to target [e.g., the Bachman Analyst TM, col. 1, line 60 – col. 2, line 3; the unique naming schema at col. 4, lines 12-27].

As to claims 4, 10, 16 and 23, Alston further disclosed the system having means to identify a transformation producing function [e.g. the meta system 22, 24 of the Workstation Manager 20, Fig. 1; col. 8, lines 14-25].

As to claims 5, 11, 17 and 25, Alston further disclosed the system having means for providing lineage information [e.g., the hierarchy order of the linear engineering design space, Fig. 2].

As to claims 6, 12, 18 and 26, Alston further disclosed the system having means for maintaining one or more transformation models for use in providing the lineage information [e.g., the engineering and reverse engineering processing at col. 8, lines 47-63].

### ***Response to Arguments***

Applicant's arguments filed 03/02/2005 have been fully considered but they are not persuasive.

The examiner agrees with applicant's argument that "Alston is directed to a computer implemented system and apparatus for transforming objects in a first data model (source design objects) to objects in a second data model (target design objects) and synchronizing the two data models" [e.g., Abstract, lines 1-5], but disagrees with applicant's argument that "[Alston's system] is not directed to a system with the ability of a user to navigate data." In contrary to applicant's argument, the examiner points out that Alston clearly discloses his system comprising a graphic user interface [e.g., Fig(s). 5A-8] that allows a user to navigate, transform objects in a first data model to objects in a second data model.

In reply to applicant's remarks that "the Examiner still have provided no evidence to substantiate the assertion that navigating data and synchronizing data are the same or obvious variants". The examiner clearly points out that the examiner did not asserts or implies that navigating data is the same as synchronizing data in any office action for the instant application and feel confused by applicant's piece meal interpretation. Furthermore, synchronizing data is not claimed in the instant amendment, thus, the examiner needs to provide no evidence.

In response to the rest of applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., an information catalog system comprising a transformation lineage model as a mechanism to enable a user to determine the lineage of the warehouse data by traversing the transformation model) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Susan Y. Chen whose telephone number is 571-272-4016. The examiner can normally be reached on Monday - Friday from 7:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on 571-272-4023. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Susan Y Chen  
Examiner  
Art Unit 2161

May 22, 2005



**UYEN LE**  
**PRIMARY EXAMINER**